

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

**IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION**

**THIS DOCUMENT RELATES TO:**

*State of California, ex. Rel. Ven-A-Care v. Abbott Laboratories, Inc., et al.*

**Case No. 03-cv-11226-PBS**

**MDL NO. 1456**  
**Civil Action No. 01-12257-PBS**  
**Subcategory No. 06-11337**

**Judge Patti B. Saris**

**DECLARATION OF CATHERINE R. CASTALDO IN SUPPORT OF DEFENDANT  
SANDOZ INC.'S MOTION FOR SUMMARY JUDGMENT**

I, CATHERINE R. CASTALDO, declare under penalty of perjury as follows:

1. I am an associate at White & Case LLP, attorneys for Defendant Sandoz Inc. ("Sandoz").  
I make this declaration in further support of Defendant Sandoz' Inc.'s Motion for Summary Judgment. I have personal knowledge of the facts stated herein.
2. In Sandoz' Motion we have incorporated the discovery record by reference. The purpose of this declaration is to make excerpts from the record available for the convenience of the Court.
3. Attached hereto are the true and correct copies of the following exhibits:

Ex. A	Rebate Agreement Between The Secretary of Health and Human Services and Sandoz Inc., date stamped March 5, 1991
Ex. B	Relevant Excerpts from Transcript of April 23, 2009 Deposition of Mike Namba
Ex. C	Relevant Excerpts from Transcript of May 21, 2009 Deposition of Vic Walker
Ex. D	Relevant Excerpts from Transcript of June 10, 2009 Deposition of Roy Takeuchi
Ex. E	Letter from Lori A. Ahlstrand, Regional Inspector for Audit Services, Dept. of Health and Human Services to Diane Bonta, Director, California Dept. of Health Services,

	enclosing 2003 Office of Inspector General Report: Audit of the Medicaid Drug Rebate Program in California, dated Dec. 23, 2003 (CAAG/DHS-E0032592 – E0032610)
Ex. F	Relevant Excerpts from Transcript of September 22, 2008 Deposition of Kevin Gorospe
Ex. G	Relevant Excerpts from Transcript of March 26, 2008 Deposition of Deidre Duzor
Ex. H	Relevant Excerpts from Transcript of October 2, 2008 Deposition of Larry Reed
Ex. I	Relevant Excerpts from Transcript of March 19, 2008 Deposition of Kevin Gorospe
Ex. J	Relevant Excerpts from Transcript of September 24, 2008 Deposition of Craig Miller
Ex. K	Relevant Excerpts from Transcript of September 23, 2008 Deposition of Douglas Hillblom
Ex. L	Letter from Beth Brannan, Manager, Government Affairs, Geneva Pharmaceuticals, Inc. (Sandoz) to Michael Neff, California Dept. of Health Services enclosing AMP data, dated July 16, 1991 (SANDOZ CALI 3000033)
Ex. M	Letter from Ron Hartmann, Manager, Government Affairs, Geneva Pharmaceuticals, Inc. (Sandoz) to State of California enclosing AMP data, dated Mar. 21, 2007 (SANDOZ CALI 3001109)

Dated: November 25, 2009

/s/ Catherine R. Castaldo  
Catherine R. Castaldo

**CERTIFICATE OF SERVICE**

I, Jacqueline L. Chung, hereby certify that on November 25, 2009, I have caused true and correct copies of the foregoing Declaration of Catherine R. Castaldo in Support of Defendant Sandoz' Inc.'s Motion for Summary Judgment, with attached exhibits, to be served on all counsel of record by electronic service, pursuant to the Case Management Order No. 2 entered in by Honorable Patti B. Saris in MDL 1456.

/s/ Jacqueline L. Chung  
Jacqueline L. Chung